

Message Text

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43

ACTION IO-13

INFO OCT-01 ADP-00 CIAE-00 DODE-00 PM-09 H-02 INR-10 L-03

NSAE-00 NSC-10 PA-03 RSC-01 PRS-01 SS-15 USIA-12

ACDA-19 AF-10 ARA-11 EA-11 EUR-25 NEA-10 GAC-01 OMB-01

RSR-01 /169 W

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R 161340 Z MAY 73

FM USMISSIN GENEVA

TO SECSTATE WASHDC 9351

INFO USUN NEW YORK 8825

C O N F I D E N T I A L GENEVA 2319

E. O. 11652: GDS

TAGS: UN, PFOR

SUBJECT: DEFINITION OF AGGRESSION COMMITTEE: INDIRECT USES OF FORCE

1. CG II MET AGAIN AM MAY 16 AND GAVE FURTHER CONSIDERATION TO INDIRECT USES OF FORCE WITH USEFUL EXCHANGE OF VIEWS ON NATURE OF PROBLEM.

2. SYRIAN REP SAID HE COULD NOT ACCEPT INCLUSION OF INDIRECT ACTS IN LIST BECAUSE THIS WOULD IMPLY RIGHT OF AFFECTED STATE TO TAKE MEASURES OF " RETALIATION" UNDER ARTICLE 51, EVEN IN ABSENCE OF DETERMINATION BY SECURITY COUNCIL THAT ACT CONSTITUTED AGGRESSION. HE DID NOT WANT DEFINITION TO PROVIDE EXCUSE FOR STATE, ON ITS OWN, TO CARRY OUT MEASURES OUTSIDE ITS OWN TERRITORY UNDER ARTICLE 51.

3. CHAUMONT (FRANCE) RECALLED FRANCE HAD FROM BEGINNING NOT FAVORED INCLUSION OF REFERENCE TO INDIRECT USES BECAUSE CONCEPT TOO VAGUE. HOWEVER, HE UNDERSTOOD NEED FOR SOMETHING ALONG THESE LINES AND SUGGESTED THAT CONCEPT OF " SENDING OF ARMED BANDS" SHOULD BE BASIS FOR PROVISION. WE POINTED OUR " SENDING" WAS TOO NARROW IN THAT IT SEEMED TO REQUIRE THAT GROUPS IN QUESTION ACT UNDER DIRECTION OF GOVERNMENT OF THE SENDING STATE.

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CHAIRMAN (BROMS) SUPPORTED THIS GENERAL PROPOSITION.

4. LAMPTY (GHANA) SAID MERE " ORGANIZATION" OF GROUPS, THOUGH POSSIBLY A BREACH OF THE PEACE, COULD NOT IN ITSELF AMOUNT TO " AGGRESSION" SINCE IT TOOK PLACE ENTIRELY ON TERRITORY OF STATE IN QUESTION. WORD " SENDING" AVOIDED THIS PROBLEM SINCE IT MADE CLEAR THAT ACTUAL ATTACK MUST TAKE PLACE. SOVIETS SAID THEY THOUGHT " SENDING" WAS BROAD ENOUGH TO COVER POINT BUT THAT, IN LIGHT OF U. S. ARGUMENT, PERHAPS SOME OTHER TERMS NUCESSARY.

5. FRANCE PROPOSED FOLLOWING FORMULATION IN EFFORT TO MEET OUR POINT WITHOUT DEALING WITH SITUATION INVOLVING NO ACTUAL ATTACK: QUOTE THE SENDING BY OR ON BEHALF OF A STATE OF ARMED BANDS,... (ETC) UNQUOTE. FRENCH PROPOSAL SUPPORTED BY CHAIRMAN, SOVIETS, GHANA. WE REITERATED OUR PROBLEM WITH WORD " SENDING" AND SAID FRENCH FORMULATION MADE IT UNCLEAR WHO WAS DOING SENDING BUT OTHERWISE DID NOT CHANGE BASIC " SENDING" FORMULATION CONTAINED PARA 1 OF ALTERNATIVE 1(P. 15. 9* 2& 4309 RT). WE CALLED ATTENTION AGAIN TO ACTS INCLUDED IN SIX- POWER LANGUAGE ON THIS POINT AND SAID WE THOUGHT IT FAIRLY REFLECTED WIDE RANGE OF ACTS WHICH COULD RESULT IN ATTRIBUTION TO STATE OF ACT OF AGGRESSION UNDER PARTICULAR CIRCUMSTANCES.

6. IN PRIVATE CONVERSATION AFTER MEETING, LAMPTY (GHANA), WHO HAS BEEN A LEADING FIGURE AMONG NON- ALIGNED, URGED US REP RECONSIDER FRENCH PROPOSAL AS POSSIBLE BASIS FOR COMPROMISE. US REP URGED HIM TO CONSIDER WAYS OF COVERING CONCEPTS OF " ORGANIZING," ETC, WHICH HE AGREED TO DO. SYRIAN REP EXPECTED BY GHANA TO BE MAJOR OBSTACLE TO COMPROMISE THIS ISSUE.
BASSIN

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*** Current Classification *** CONFIDENTIAL

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